

STATE OF HAWAII  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103F, HRS

100-856 28 A11:58  
STATE PROCUREMENT OFFICE  
STATE OF HAWAII

To: Chief Procurement Officer

From: Department of the Attorney General  
*Department/Division/Branch or Office*

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

1. Title and description of health and human service(s): The Department of the Attorney General (herein Department) is requesting an exemption from chapter 103F, Hawaii Revised Statutes (HRS) to award additional federal grant funds to an existing contract. The project title is the "Hawaii Sexual Assault Response and Training (HSART) Program that provides program assistance to Sexual Assault Response Teams in the areas of standardization of evidence collection tools and methods, effectiveness measures for service delivery and statewide collaboration and training. Specifically, the project will seek to continue to maintain and improve the level of communication and coordination among the private and governmental partners in the forensic examination process, ensure the responsiveness and effectiveness of the medical-legal protocols through the establishment of a medical-legal protocol compliance plan and review process under the HSART Program.	
2. Provider Name and Address:	Kapiolani Medical Center for Women and Children (KMCWC), Sex Abuse Treatment Center (SATC) 55 Merchant Street, 24 <sup>th</sup> Floor Honolulu, HI 96813
3. Total Contract Funds:	\$34,245
Contract Funds per Year (if applicable):	
4. Reference number of Previous Request for this Service (if applicable):	
5. Term of Contract:	Start: Upon Approval End: 3/31/10
6. Describe how procurement by competitive means is either not practicable or not advantageous to the State: The Department of the Attorney General is requesting an exemption from chapter 103F, HRS. Pursuant to §3-141-503. The source of the federal funds has certain conditions that define how the funds are to be allocated. It must be to a non-profit organization victim service provider of domestic violence, sexual assault, dating violence, and stalking. The Department has additional federal funds available in the amount of \$34,245 from the U.S. Department of Justice, Office on Violence Against Women (OVW), FY 2006 STOP Violence Against Women (VAWA) Formula Grant. These federal funds are available only until May 31, 2010, which is the federal end date for the master grant. It is not practicable or advantageous for the Department of the Attorney General to announce a Request For Proposal for funds that are only available for less than a year (until May 31, 2010). All but one of the projects funded with FY 2006 STOP VAWA grant funds have ended. The Provider noted above has an existing contract with the Department and provides multi-disciplinary training to victim services professionals, law enforcement, investigation in the area of sexual assault to assist the State in being compliant with the forensic VAWA STOP grant provisions mandated by OVW.	

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7. Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable:

The U.S. Department of Justice, Office on Violence Against Women mandates how federal VAWA STOP grant funds must be allocated. A certain percentage of VAWA grant funds must be allocated to non-profit organizations providing victim services in the areas of domestic violence, sexual assault, dating and stalking. The Department of the Attorney General and the State VAWA Planning Committee also allows for special priorities as described in section 1 of this request. The Department has selected this Provider because it is the only existing contract still open; all other funded contracts have terminated. Further, the \$34,245 grant funds can only be provided to a non-profit victim services provider. As explained in section 6 of this request, the end date of the master grant is insufficient lead time to plan and coordinate a separate Request For Proposal, post the RFP, provide applicants with at least 28 days to submit a proposal, establish a Proposal Evaluation Committee, recommend/contract with a service provider by the end date of the master grant. The amount of additional funds may be subject to be returned to the Office on Violence Against Women should this request be rejected.

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:

The Crime Prevention and Justice Assistance Division (CPJAD) within the Department oversees the federal Violence Against Women STOP Formula Grant. CPJAD has established written grant administrative guidelines (also see chapter 28-10.5, Hawaii Revised Statutes). The CPJAD Grants and Planning Chief is responsible for the daily operations of the Grants and Planning Branch, the supervisions of the Criminal Justice Planning Specialists. The Chief is responsible to assure that all federal and state regulations and procedures are followed and reports submitted on a timely basis. The CPJAD Administrator oversees the internal controls of the Grants and Planning Branch and reviews/approves all requirements/requests before obtaining approval by the Attorney General, the head of the State purchasing agency for the Department.

9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Adrian Kwock, CPJAD Branch Chief  
Lari Koga, CPJAD Administrator  
Mark J. Bennett, Attorney General

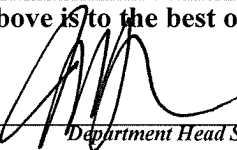
10. Direct questions to (name & position):

Kathleen M. Mitchell, Criminal Justice Planning Specialist

Phone number: 586-1389

e-mail address: Kathleen.M.Mitchell@hawaii.gov

**I certify that the information provided above is to the best of my knowledge true and correct.**

  
\_\_\_\_\_  
Department Head Signature  
**Mark J. Bennett**  
\_\_\_\_\_  
Typed Name

DEC 21 2009  
\_\_\_\_\_  
Date

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**NOTICE**

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

**FOR CHIEF PROCUREMENT OFFICER USE ONLY**

Chief Procurement Officer's Comments:

☒ **APPROVED**    ☐ **DISAPPROVED**    ☐ **NO ACTION**

  
\_\_\_\_\_  
Chief Procurement Officer Signature

1/8/2010  
\_\_\_\_\_  
Date

Please ensure adherence to applicable administrative requirements.